

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

CHARLES MACKEY,

Petitioner

v.

SERGEANT BELL,

Respondent

1:04-CV-182 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge (Doc. 30), filed on February 16, 2006. It is recommended that Plaintiff's Motion for Undisputed Facts (Doc. 19) be granted to the extent that it is actually a response to Defendant's Motion for Summary Judgment.<sup>1</sup> (Doc. 30; *see also* Doc. 12). No objection has been filed.

Upon full review and consideration upon the record, the Court finds that the Report and Recommendation (Doc. 30) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Plaintiff's Motion for Undisputed Facts (Doc. 19) is **GRANTED** to the extent that it is actually a response to Defendant's Motion for Summary Judgment (Doc. 12).

**SO ORDERED**, this 30<sup>th</sup> day of March, 2006.

/s/W. Louis Sands  
**W. LOUIS SANDS, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**

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<sup>1</sup>

The Court necessarily considered Plaintiffs' submissions in response to Defendant's Motion for Summary Judgment in reviewing the first Report and Recommendation of February 16, 2006; and hereby formally acknowledges said consideration. (Docs. 17-19). For the reasons stated in its March 20, 2006 Order, the Court granted-in-part and denied-in-part Defendant's Motion for Summary Judgment. (Doc. 32).